

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS, ET AL.,

Plaintiffs,

v.

MARCO RUBIO, ET AL.,

Defendants.

Case No. 1:25-cv-10685 (WGY)

PLAINTIFFS' MOTION TO COMPEL ADDITIONAL DOCUMENTS

Plaintiffs respectfully move this Court for an order compelling disclosure of several documents in the custody, possession, and control of Defendants' four Homeland Security Investigation ("HSI") witnesses: William Crogan, Patrick Cunningham, Darren McCormack, and Christopher Heck. These documents were identified by the witnesses in their depositions and during their trial testimony on July 15, 2025. Additionally, these documents are responsive to Plaintiffs' First Set of Requests for Production, are not covered by any privilege, and should have been produced during the course of discovery. (*See* Plaintiffs' May 19, 2025 Revised First Set of Requests for Production, ECF No. 155-2, RFP Nos. 1, 2.)

First, Plaintiffs request that Defendants produce the following documents requested on the record at the witnesses' depositions:

- any e-mails, notes, or documents from January 2025 onwards related to the need for HSI to prioritize immigration enforcement (referenced by Agent Cunningham);
- the administrative warrant for Rümeyisa Öztürk signed by Agent Cunningham;

- the e-mails and related attachments to Agent Cunningham regarding Rümeyssa Öztürk, including any e-mail sent by or copying Eulia Garolini;
- any e-mail and notes regarding instructions to surveil and/or arrest Mahmoud Khalil received by Darren McCormack;¹

Second, Plaintiffs request the following documents that were referenced by the witnesses in the July 15 trial proceedings:

- the Action Memos relating to Badar Khan Suri and Mohsen Madawi; and
- all reports, summaries, or other analyses of Mr. Khalil's arrest reviewed by Agent McCormack.

Plaintiffs respectfully request that the Court enter an order directing Defendants to produce these documents to Plaintiffs forthwith.

July 16, 2025

Respectfully submitted,

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¹ Plaintiffs note that at the end of the July 15 proceedings, Defendants produced three e-mails and attachments sent to Agent McCormack relevant to the arrests of Mahmoud Khalil and Yunseo Chung. To the extent these documents do not represent the complete universe of written instructions that Agent McCormack received, Plaintiffs maintain the above request.

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CERTIFICATE OF SERVICE

I, the undersigned counsel, certify that on July 16, 2025, I electronically filed the foregoing motion in the United States District Court for the District of Massachusetts using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Dated: July 16, 2025

/s/ Noam Biale

Noam Biale